IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 7063 of 2007(N)

PETITIONER:

ISH-KRIPA SOCIETY OF POOR SERVANTS,
DIVINE PROVIDENCE SEMINARY, KATTIKULAM, WAYANAD,
REP. BY ITS PRESIDENT, FR.ABRAHAM JOSEPH ODALANY.

BY ADV. SRI.P.NARAYANAN

RESPONDENTS:
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1. THE STATE OF KERALA,
REP. BY SECRETARY TO GOVERNMENT, DEPARTMENT OF REVENUE, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE TAHSILDAR,
ASSESSING AUTHORITY, MANANTHAVADY.

BY G.P. SRI. C.K. GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE CERTIFICATE OF REGISTRATION.

EXT.P2 COPY OF THE JUDGMENT IN W.A.NO. 883 OF 2002 DATED 12.4.2002

EXT.P3 TRUE COPY OF THE ARGUMENT NOTE DATED 17.11.2003 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P4 TRUE COPY OF THE ORDER G.O.RT. NO. 5054/06/RD DSATED 29.12.2006 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.

EXT.P5 STRUE COPY OF THE ORDER DATED 29L7.2002 IN LETTER NO. 12590/N3/2002/LSGD.

EXT.P6 TRUE COPY OF THE JUDGMENT DATED 2.11.2006 OF THIS HON'BLE COURT IN WPC 25958 OF 2003

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 7063 OF 2007

Dated this the 19th day of July, 2007

JUDGMENT

Since Tahsildar has inspected the building and found that the building is only a seminary where students studying priesthood are residing, W.P. is allowed declaring eligibility of exemption for the building, and consequently quashing Ext.P4 order.

(C.N.RAMACHANDRAN NAIR)
Judge